



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

July 25, 2005

VIA FAX (517-374-9191) AND FIRST CLASS MAIL

W. Alan Wilk, Esq.
Dykema Gossett PLLC
124 W. Allegan Street, Suite 800
Lansing, MI 49833

RE: MUR 5488
Brad Smith for Congress and
James Bailey, in his official
capacity as Treasurer;
Bradley Smith

Dear Mr. Wilk:

On July 12, 2005, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your clients' behalf in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter. Please be advised that the civil penalty in this agreement reflects unusual factors brought forth during the investigation.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Audra L. Wassom".

Audra L. Wassom
Attorney

Enclosure
Conciliation Agreement

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